

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Zengpin YU, Danhua ZHAO, Thomas P. NEFF, Wei ZHANG and Shih-Ping WANG

Serial No.: 10/560,200

Date Filed: June 18, 2004

Int'l Appl'n Filing Date: 18 June 2004

For: **FULL-FIELD BREAST ULTRASOUND SYSTEM AND ARCHITECTURE**

This correspondence is being filed electronically with the U.S. Patent and Trademark Office via EFS-Web.

 *April 16, 2010*
Ivan S. Kavrukov
Reg. No. 25,161
Date

30 Rockefeller Center, 20th Floor
New York, New York 10112
TEL: (212) 278-0400

Attn: PCT Legal Staff
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Renewed
Petition to Withdraw Holding of Abandonment
Based on Failure to Receive Office Action
Pursuant to MPEP 711.03(c)(I)(A)

A Decision on Petition Under 37 CFR 1.181 issued (copy attached as Exhibit A) denying applicants' petition without prejudice.

The Decision states that items 1 and 3 of the required showing have been satisfied but items 2 and 4 have not been satisfied.

Regarding **item 2**, the Office requests a clarification of when the address of the firm changed. The address changed on November 24, 2008 (Exhibit B) when the firm moved from 1185 Avenue of the Americas, New York, New York 10036 to 30 Rockefeller Plaza, 20th Floor, New York, New York 10112. The name of the firm and its telephone and fax numbers did not change. The firm had moved to its previous address in about 1994.

Regarding **item 4**, the Office requests the master docket report for the firm for 24

Applicants: YU et al.
Int'l Appl'n No.: PCT/US2004/019488
Int'l Appl'n Filing Date: 18 June 2004
U.S. Application No. 10/560,200

Dkt: 2692/72616-PCT-US

Page 2

May 2006. Attached is a printout of that report (Exhibit C) showing no entry for the subject patent application. The report identifies patent applications by their docket numbers. The docket number for the subject application is 72616-PCT-US, as noted under the notation "ATTY. DOCKET NO." in the Notification of Abandonment mailed by the Office on 11/26/2007 (Exhibit D). Also attached are the master docket reports for the preceding and succeeding dates (Exhibits E & F), which also contain no entry for the subject application.

Applicants respectfully request withdrawal of the holding of abandonment resulting from non-receipt of Office Actions, pursuant to MPEP 711.03c(c)(I)(A), based on the supplemental information provided herewith

Please charge our Deposit Account No. 03-3125 for any fees that may be required in connection with this Petition.

Respectfully submitted,



Ivan S. Kavruk, Reg. No. 25,161
Attorney for Applicant
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30 Rockefeller Plaza
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New York, NY 10112
Tel. 212-278-0400

EXHIBIT A

to

Renewed Petition to Withdraw Holding of Abandonment Based on Failure

to Receive Office Action Pursuant to MPEP 711.03 (C) (I) (A)

Serial No. 10/560,200

2692/72616-PCT-US

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ISK



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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COOPER & DUNHAM, LLP
30 Rockefeller Plaza
20th Floor
NEW YORK NY 10112

In re Application of
YU, Zengpin, et al.
Application No.: 10/560,200
PCT No.: PCT/US2004/019488
Int. Filing Date: 18 June 2004
Priority Date: 20 June 2003
Docket No.: 2692/72616-PCT-US
For: FULL-FIELD BREAST ULTRASOUND
SYSTEM AND ARCHITECTURE

Resp Due 4-26-10

DECISION

ON PETITION UNDER

37 CFR 1.181

This is a decision is in response to applicant's petition under 37 CFR 1.181, filed in the United States Patent and Trademark Office on 10 February 2010

BACKGROUND

On 24 March 2006, the Office mailed Notification of Missing Requirements (Form PCT/DO/EO/905) indicating, *inter alia*, that additional claim fees, an oath or declaration in compliance with 37 CFR 1.497(a)-(b) and the surcharge for late filing of the search fee, examination fee or oath or declaration were required. The Notification was mailed to the address of record.

On 26 November 2007, the Office mailed Notification of Abandonment (Form PCT/DO/EO/909) indicating that the application went abandoned for failure to timely reply to the Notification of Missing Requirements mailed 24 March 2006.

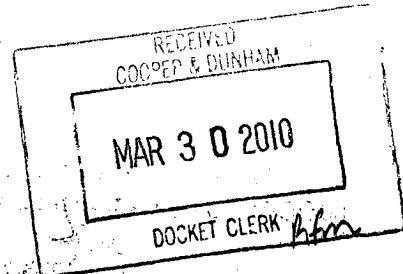
On 16 December 2009, applicants changed the address of record in this application.

On 10 February 2010, applicants filed this petition under 37 CFR 1.181.

DISCUSSION

The showing required to establish nonreceipt of an Office communication is set forth in MPEP 711.03(c). The showing must include: (1) a statement by the practitioner describing the system used for recording an Office action received at the correspondence address of record with the USPTO, (2) a statement from practitioner that the Office action was not received by the practitioner at the correspondence address of record; (3) a statement attesting that a search of practitioner's records including the file jacket or the equivalent and application contents, indicates that the Office action was not received; and (4) a copy of the docket record where the non-received Office action would have been entered had it been received (the docket record must also be referenced in practitioner's statement).

Items (1) and (3) have been satisfied.



Item (2) has not been satisfied. Applicant states that the documents bear the correct address for the firm at the time they were mailed. For clarification, when did the address of the firm change?

Item (4) has not been satisfied. The preferred evidence of nonreceipt of the Notification of Missing Requirements is the master docket report for the firm on the date on which a response to the Notification of Missing Requirements would have been docketed had it been received and docketed for response. In this case, the Office wants the master docket report for the firm for 24 May 2006. If this is not available, applicant must so state and provide the alternative information. The docket record for a single client or application is not sufficient.

CONCLUSION

For the reasons set forth above, the petition under 37 CFR 1.181 is **DISMISSED** without prejudice.

The application remains **ABANDONED**.

Any further correspondence with respect to this matter may be filed electronically via EFS-Web selecting the document description "Petition for review and processing by the PCT Legal Office" or by mail addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292

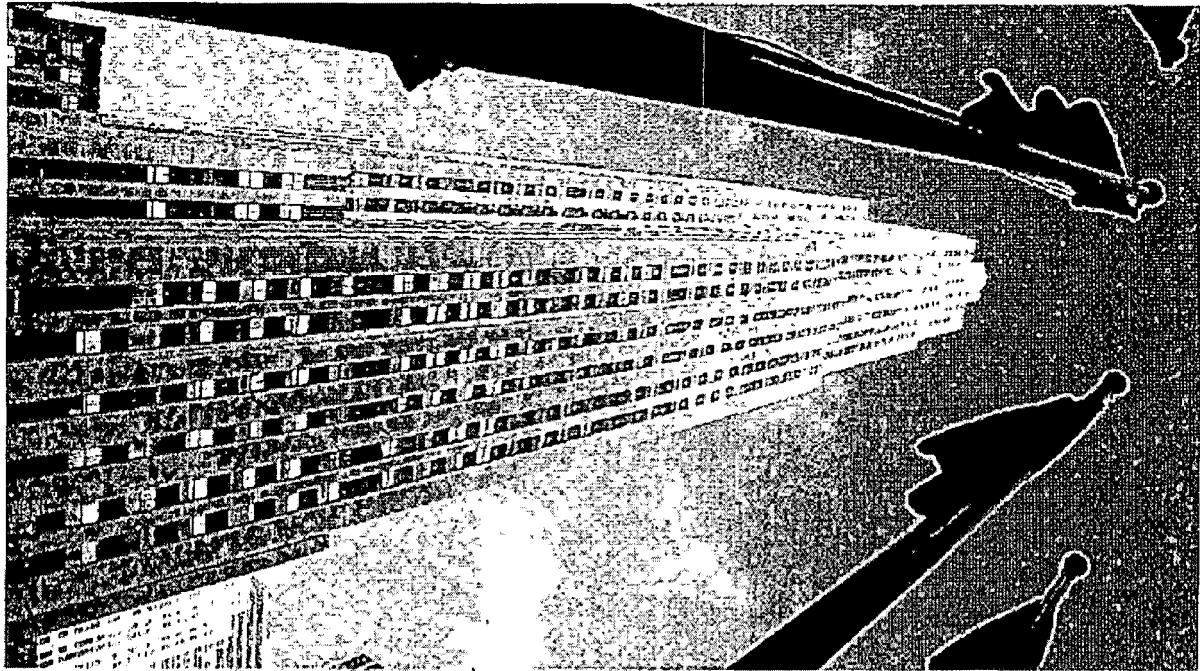
EXHIBIT B

to

Renewed Petition to Withdraw Holding of Abandonment Based on Failure

to Receive Office Action Pursuant to MPEP 711.03 (C) (I) (A)

Serial No. 10/560,200



COOPER & DUNHAM LLP

IS PLEASED TO ANNOUNCE

THE RELOCATION OF ITS OFFICES

TO

30 ROCKEFELLER PLAZA

NEW YORK, NEW YORK 10112

TELEPHONE (212) 278-0400

FAX (212) 391-0525

AS OF NOVEMBER 24, 2008

WWW.COOPERDUNHAM.COM

FOUNDED 1887

EXHIBIT C

to

Renewed Petition to Withdraw Holding of Abandonment Based on Failure

to Receive Office Action Pursuant to MPEP 711.03 (C) (I) (A)

Serial No. 10/560,200

MAY242006B

MASTER FILE REPORT

REPORTER

PAGE: 1

Attorney	Ctry	Agent	Action	Associate	Due Action	Client Description	PCMASTER	
							23MY2006	14 56
P CCD	USA	3ME	24MY2006	3RD MAINTENANCE	2528	EXPIRATION	41973	
P CCD	USA	BRF	24MY2006	BRIEF DUE	2269		64753	
P CCD	USA	IDS	24MY2006	INFORMATION DISCLOSURE	2528	STATEMENT	75972	
P DSD	USA	AT	24MY2006	1st OA	1175		73025	
P LP	USA	R14	24MY2006	1st OA	4 MONTH RESPONSE DUE		71043	
P LP	USA	PT	24MY2006	1st OA	2271		71049-Z	
P LP	USA	OA1	24MY2006	NOTICE OF	2271	MISSING PARTS DUE		
P LP	USA	PT	24MY2006	NOTICE OF	6424			
75337-PCT-EPO		EPC	ANN	24MY2006		ANNUITY		
P LP		PT			6424			
75340-PCT-US		USA	MP1	24MY2006		NOTICE MISSING PARTS	-	
1st ext								
P LP	USA	R14	24MY2006	1st OA	6424		75343	
P PJP	USA	DM			4 MONTH RESPONSE DUE			
P PJP	USA	ASG	24MY2006	FILE ASSIGNMENT	0426		75815	
P PJP	USA	DM	24MY2006	0426			75815	
P RDK	USA	IDS	24MY2006	INFORMATION DISCLOSURE	6325	STATEMENT		
P RDK	USA	SD					74522	
		RVF	24MY2006	12mo FOREIGN FILING DEADLINE				

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REPORTER

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Attorney	Action	Due	Action	Division	Description	Docket No.	PCMASTER		
							Ctry	Associate	Sp
T NHZ	24MY2006	EF	SEC. 24MY2006	8&15	1871 AFF. DUE	63697	USA	815	
T PDM	24MY2006	JS	EXT TO FILE USE		2257	71067	MEDIALAB & DESIGN	USX	
T PDM	24MY2006	JS	OPPOSITION PERIOD EXPIRES		1287	73987-NZ	RC GATE	OPX	
							WHITE LIGHT	NEWZ	

MAY242006B

EXHIBIT D

to

Renewed Petition to Withdraw Holding of Abandonment Based on Failure

to Receive Office Action Pursuant to MPEP 711.03 (C) (I) (A)

Serial No. 10/560,200



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/560,200	Zengpin Yu	2692/72616-PCT-US
Ivan S Kavrukov Cooper & Dunham 1185 Avenue of the Americas New York, NY 10036		INTERNATIONAL APPLICATION NO.
		PCT/US04/19488
I.A. FILING DATE		PRIORITY DATE
06/18/2004		06/20/2003

CONFIRMATION NO. 5507
371 ABANDONMENT/TERMINATION
LETTER



OC00000026892913

Date Mailed: 11/26/2007

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 03/24/2006 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

DONNA S GREENE

Telephone: (703) 308-9140 EXT 222

EXHIBIT E

to

Renewed Petition to Withdraw Holding of Abandonment Based on Failure

to Receive Office Action Pursuant to MPEP 711.03 (C) (I) (A)

Serial No. 10/560,200

MAY232006B

MASTER FILE REPORT
REPORTER

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22MY2006 15 25

Attorney Ctry	Agent Action C	Associate Action	Client Description	Docket No.
P CCD USA	R15	RSM	2500 1st OA - 5 MONTH RESPONSE DUE	66112
P CCD USA	FIL	RSM	2528 23MY2006	75037
P DSD USA	PUB	AT	9 MONTH PROVISIONAL CALL-UP	73461
P GJG USA	PR2		2710 ESTIMATED PUBLICATION DT	74695-PRO
P LP USA	PUB	PT	7444 11mo U.S./FOREIGN FILING REMINDER	63685-CIP-D
P LP USA	PUB	PT	2692 23MY2006	65887-Z-A
P LP USA	PUB	PT	2271 ESTIMATED PUBLICATION DT	66846-Y
P LP USA	PUB	PT	2271 ESTIMATED PUBLICATION DT	68745
P LP USA	OA2	PT	2271 2nd OA - 3 MONTH RESPONSE DUE	71536
P LP USA	PFE	PT	2271 PUBLICATION FEE DUE	71536
P LP USA	ISS	PT	1141 ISSUE FEE DUE	72613
P LP USA	OA1	PT	23MY2006 1st OA - 3 MONTH RESPONSE DUE	73399
P LP USA	PUB	PT	2271 ESTIMATED PUBLICATION DT	74937
P LP USA	IDS	PT	1141 INFORMATION DISCLOSURE STATEMENT	73382
P NHZ USA	PUB	EF	1886 23MY2006	73463
P NHZ USA	PUB	EF	1886 ESTIMATED PUBLICATION DT	25799-DB-Z
P RDK USA	FOA	SD	0392 23MY2006	0208
P RDK 76103-PCT-US needed)	SD	DEC	0208 RESPONSE TO FINAL REJ. - 3rd MO	7284
P WEP USA	OA1	EB	7284 23MY2006	73990
			1st OA - 3 MONTH RESPONSE DUE	

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REPORTER

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PCMASTER
22MY2006 15 24

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MAY232006B

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T PDM	JS	0122	54084	USA	L85
23MY2006	8&15 GRACE PERIOD ENDS			PHAS	
T RBH	JO	6609	57297	USA	815
23MY2006	SEC. 8&15 AFF. DUE			SAFE N'	WELL

EXHIBIT F

to

Renewed Petition to Withdraw Holding of Abandonment Based on Failure

to Receive Office Action Pursuant to MPEP 711.03 (C) (I) (A)

Serial No. 10/560,200

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MASTER FILE REPORT

REPORTER

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PCMASTER

25MY2006 9 52

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Ctry	Action C	Action Due	Description	
P LP USA	1MR	RFJ 25MY2006	2692 1ST MAINTENANCE FEE REMINDER	63673
P LP USA	1MR	25MY2006	2692 1ST MAINTENANCE FEE REMINDER	65039
P RSM USA	PUB	25MY2006	2424 ESTIMATED PUBLICATION DT	69640-Z
P WEP USA	EB	25MY2006	7257	65378
	1MR	25MY2006	1ST MAINTENANCE FEE REMINDER	

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REPORTER

PAGE: 1

PCMASTER

25MY2006 10 25

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Action	Division	Ctry	Action C		
Due	Description	Trademark			
T NHZ 25MY2006 CALIFORNIA	EF RENEWAL	2703 REMINDER	23513	USA VEGETABLES	RN6
T NHZ 25MY2006	EF AFFIDAVIT	7162 DUE	64352-PT	PORT COACH	AFF
T NHZ 25MY2006 DESIGN (SINGLE	EF AFFIDAVIT	7162 DUE	64361-PT	PORT COACH &	AFF LOZENGE
T NHZ 25MY2006 DESIGN (SINGLE	EF MUS	7162	64361-PT	PORT COACH &	MUS LOZENGE
T NHZ 25MY2006	EF AFFIDAVIT	7162	64361-PT	PORT COACH	AFF
T NHZ 25MY2006 T PDM	EF JS	7162 0340	64361-PT	PORT COACH	MUS
TEA T RBH	JO	OPPOSITION PERIOD EXPIRES	73820	USA AMERICAN	OPX CLASSIC
		7215	75748	USA	OPX

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25MY2006 OPPOSITION PERIOD EXPIRES
OPERATIONS

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